

## MINUTES

### Erie County Council

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Dr. Kyle Foust, Chairman  
Fiore Leone, Vice Chairman  
Carl Anderson, III  
Kathleen Fatica  
André R. Horton  
Carol Loll  
Scott R. Rastetter

## REGULAR MEETING MINUTES

### PLEDGE OF ALLEGIANCE

Dr. Foust led the Pledge of Allegiance.

### OPTIONAL PRAYER OR INVOCATION

Mrs. Loll read the following prayer: “Almighty God, as we stand here, at this moment, we beseech that Though will make full and complete our dedication to the service of the people in this throng and our fellow citizens everywhere. Especially we pray that our concern shall be for all the people, who under the concept of our government, hold to differing beliefs, so that all may work for the good of our beloved county and for Thy glory. Amen.”.

### ROLL CALL

All Council Members present.

Also present: Douglas Smith, County Clerk; James Sparber, Director of Finance; Tracey Fugagli, General Accounting Manager

Mrs. Fatica welcomed everyone to Millcreek Township. She gave a summary of Voices for Independence and the work of Millcreek Township and private funding that repurposed Vernondale School into Voices for Independence. Mrs. Fatica thanked Shona Eakin, Executive Director and the staff, for allowing Council to host the meeting at her facility. Mrs. Fatica spoke of the mural on the wall at Voices and stated that in July, 1990 there will be celebration of the ADA of 28 years. The mission of Voices for Independence is looking at those with disabilities to give them empowerment for independent living. She thanked Ms. Eakin for everything they do.

### HEARING OF THE PUBLIC

#### **Randy Barnes**

Randy Barnes, Harborcreek, PA; Mr. Barnes thanked Mrs. Fatica. Mr. Barnes spoke about manufacturers finding trained employees. He discussed the Northern PA Regional College. Through efforts of Senator Wiley, Erie County became a part of this college. The college is currently offering training in manufacturing. It is funded through tax dollars. There are no tests required. If you have a high school diploma or GED you are accepted into the NW PA

Regional College. He encouraged elected officials to talk about the regional college and communicate the value this college has. He stated that this college was planned and it should be promoted.

### **Julie Minich**

Julie Minich; Erie, PA; Ms. Minich is the Assistant Board of Director of All Aboard Erie. She spoke about EMTA's Ride the Bus challenge which is meant to increase ridership. She stated that All Aboard Erie is for this challenge and that most people have cars so why would they use the bus? She then countered by saying that you never have to worry about where you park. Gas prices are now over \$3.19 per gallon and a bus pass is much cheaper - \$3.10 for an all-day pass that will take a rider everywhere. If you work in the city where there is a meter - there is a cost for that and if you take the bus, you don't have to worry about that. Her final point had to do with the fact that those who ride the bus form their own community. They look out for you, they welcome you back if you haven't been riding, and one of the greatest things is waiting at bus stops where the community truly is built. She commented that as a rider, you can trust them to watch out for you. EMTA has a lot of critics and some of those critics don't use the system. You may have a bad experience on the bus but it also happens when you drive. EMTA is not a perfect system but remember that your tax dollars pay for both. She encouraged all for the month of June to lead by example and ride the bus.

### **Jason Brendel**

Jason Brendel; Erie, PA; Mr. Brendel has completed his fellowship with Organizing for Action. Part of his fellowship is to raise the score with respect to the human rights campaign municipal quality index. On the index, Erie County and the City are listed separately. He thanked Council for passing the Ordinance that revised the HRC Ordinance by adding gender identification. He then discussed the need for a gay conversion therapy ban ordinance. Six other governments in PA have passed ordinances to ban gay conversion therapy and asked that Council consider doing the same and thanked David Moore for addressing Council on this issue. Mr. Brendel then presented Erie County and Council with the PRIDE flag. He then explained what the colors of the PRIDE flag mean. He stated he presented the banner to the City of Erie. During PRIDE month, this banner will be in front of City Hall for the first time in 25 years. In the same spirit, he would like Erie County to wave this banner during Erie Pridefest on June 30<sup>th</sup>. He presented the PRIDE flag to Council.

Gary Keener; Greene Township; Mr. Keener is on the Parks and Rec Committee and stated that a playground was built in 1987, one of the first and largest in Erie County. Over the years, it became unsafe and not ADA compatible. They are in the process of getting ready to build one of the largest, unique, and few ADA compliant in Erie County. It will be built at the site where the old playground was. He asked that the County support this effort as they are in the fundraising

process. The playground was enjoyed by all throughout Erie County and neighboring counties. It will be completely ADA compatible. In July, 2018, it will be another community-build effort. It will also be done completely by volunteers. He asked that Council consider supporting the project and if any members wanted more information they can call the Township office. He thanked Council for their time.

### **MINUTES FROM PREVIOUS MEETING**

#### **May 29, 2018 - Regular Meeting**

Mr. Leone moved to approve the minutes from the May 29, 2018 Regular Meeting. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

### **REPORTS OF COUNTY OFFICIALS**

#### **County Executive and/or her Designee**

No report.

#### **Finance Committee - Mrs. Fatica**

Mrs. Fatica stated that the Finance Committee met on June 7, 2018, and agreed to place Ordinance Number 78, 2018, under Old Business, and Ordinances 79-83, 2018 and two Board appointments under New Business.

#### **Personnel Committee - Mr. Horton**

Mr. Horton stated that the Personnel Committee met immediately following the Finance Committee meeting and agreed to place Ordinances 54-62, 67 and 68, 2018, under Old Business.

#### **Other**

Mr. Horton thanked Mrs. Fatica for arranging the meeting at Voices for Independence and commented that her gain is his District's loss. He then thanked his colleagues for passing the resolution regarding CBA's and asking the State legislature to attach CBA binding language to any future RCAP funding or grants that would be distributed. He reminded all that Erie was declared the worst city in America for African Americans. It is not easy to go into a room and say the same. The 16501 zip code is the poorest in the Commonwealth. A report came out last week that child poverty is not getting better, and it has been declared to be getting worse. Erie School District is in a financial crisis and has a financial overseer. There is now discussion on tax abatements and LERTA. He is not against development but does not agree with LERTA north of the Bayfront and feels it is ludicrous. A developer could receive an RCAP grant, come back and ask for the ten year tax forgiveness (LERTA). He stated that all one has to do is ride up Peach Street by Central High School where Biletnikoff field still has cinders on a two lane track but go across the street and

to outlying schools and see the really nice fields, the really nice buildings, yet the city wants to give LERTA to developers north of the Bayfront. Currently, a local developer received \$8 million in RCAP funding and is asking for another \$10 million; if this developer receives that funding, he will have either \$10 or 13 million towards a \$40 million project, and then ask for LERTA. Mr. Horton then discussed the rural regional college and wished that Mr. Barnes would remain at a meeting following his address to Council because he might learn something. The Rural Regional College covers nine counties and most of those counties are not like Erie. There are approximately 150 students total in those 8 counties. With the scale of the problem in Erie County, this college will not do it alone. The Erie Community College will do it. Taxpayers already pay for all nine community colleges in the state and the children in Erie County get zero return on that investment, which he feels is a crime in itself. He stated he could go on and on about how the workforce isn't trained, the migration of construction workers that come in from other parts of the state and take our commerce back to build their communities, about the 60 mile cracker plant away from here that should have a centrifugal impact, and stated that on any LERTA issues, before Council has any discussion on it, he proposes Public Hearings should be held. The City of Erie's money shouldn't be given away when our problems are so vast.

### **OLD BUSINESS**

Dr. Foust clarified that Ordinances 54-62, 67, and 68 are on tonight's agenda at the prerogative of Mrs. Fatica and Mrs. Loll to put agenda items on for a first reading. Even though they were on an agenda previously, then taken off, and put on back on the agenda, they will be considered first readings under that Council prerogative.

**First Reading of Ordinance Number 54, 2018, "Twenty-Third 2018 General Fund Budget Supplemental Appropriation of \$1,096 for Change in Non-Bargaining Pay Plan - System Operator"** Mr. Smith gave a first reading of Ordinance Number 54, 2018, "Twenty-Third 2018 General Fund Budget Supplemental Appropriation of \$1,096 for Change in Non-Bargaining Pay Plan - System Operator".

**First Reading of Ordinance Number 55, 2018, "Twenty-Fourth 2018 General Fund Budget Supplemental Appropriation of \$11,911 for Change in Non-Bargaining Pay Plan - Court Administrative Officer II"** Mr. Smith gave a first reading of Ordinance Number 55, 2018, "Twenty-Fourth 2018 General Fund Budget Supplemental Appropriation of \$11,911 for Change in Non-Bargaining Pay Plan - Court Administrative Officer II".

**Bargaining Pay Plan -  
Court Administrative  
Officer II”**

**First Reading of Ordinance Number 56, 2018, "First 2018 Domestic Relations Fund Budget Supplemental Appropriation of \$1,175 for Change in Non-Bargaining Pay Plan - Deputy Director".** Mr. Smith gave a first reading of Ordinance Number 56, 2018, "First 2018 Domestic Relations Fund Budget Supplemental Appropriation of \$1,175 for Change in Non-Bargaining Pay Plan – Deputy Director".

**First Reading of Ordinance Number 57, 2018, "Twenty-Fifth 2018 General Fund Budget Supplemental Appropriation of \$400 for Change in Non-Bargaining Pay Plan for Deputy Director".** Mr. Smith gave a first reading of Ordinance Number 57, 2018, “Twenty-Fifth 2018 General Fund Budget Supplemental Appropriation of \$400 for Change in Non-Bargaining Pay Plan for Deputy Director".

**First Reading of Ordinance Number 58, 2018, "Second 2018 Domestic Relations Fund Budget Supplemental Appropriation of \$3,518 for Change in Non-Bargaining Pay Plan - Senior Officer Positions".** Mr. Smith gave a first reading of Ordinance Number 58, 2018, “Second 2018 Domestic Relations Fund Budget Supplemental Appropriation of \$3,518 for Change in Non-Bargaining Pay Plan - Senior Officer Positions".

**First Reading of Ordinance Number 59, 2018, "Twenty-Sixth 2018 General Fund Budget Supplemental Appropriation of \$1,196 for Change in Non-Bargaining Pay Plan - 5 Senior Officer Positions".** Mr. Smith gave a first reading of Ordinance Number 59, 2018, "Twenty-Sixth 2018 General Fund Budget Supplemental Appropriation of \$1,196 for Change in Non-Bargaining Pay Plan - 5 Senior Officer Positions".

- First Reading of Ordinance Number 60, 2018, "Third 2018 Domestic Relations Fund Budget Supplemental Appropriation of \$3,890 for Change in Non-Bargaining Pay Plan -Supervisors".** Mr. Smith gave a first reading of Ordinance Number 60, 2018, "Third 2018 Domestic Relations Fund Budget Supplemental Appropriation of \$3,890 for Change in Non-Bargaining Pay Plan -Supervisors".
- First Reading of Ordinance Number 61, 2018, "Twenty-Seventh 2018 General Fund Budget Supplemental Appropriation of \$1,323 for Change in Non-Bargaining Pay Plan - Domestic Relations Supervisors"** Mr. Smith gave a first reading of Ordinance Number 61, 2018, "Twenty-Seventh 2018 General Fund Budget Supplemental Appropriation of \$1,323 for Change in Non-Bargaining Pay Plan - Domestic Relations Supervisors".
- First Reading of Ordinance Number 62, 2018, "Twenty-Eighth 2018 General Fund Budget Supplemental Appropriation of \$2,636 for Change in Non-Bargaining Pay Plan - Clerk Typist to Administrative Clerk".** Mr. Smith gave a first reading of Ordinance Number 62, 2018, "Twenty-Eighth 2018 General Fund Budget Supplemental Appropriation of \$2,636 for Change in Non-Bargaining Pay Plan - Clerk Typist to Administrative Clerk".
- First Reading of Ordinance Number 67, 2018, "Thirty-First 2018 General Fund Budget Supplemental Appropriation of \$914 for Change in Non-Bargaining Pay Plan – Supervisor"** Mr. Smith gave a first reading of Ordinance Number 67, 2018, "Thirty-First 2018 General Fund Budget Supplemental Appropriation of \$914 for Change in Non-Bargaining Pay Plan - Supervisor".
- First Reading of Ordinance Number 68, 2018, "Thirty-Second 2018 General Fund Budget Supplemental Appropriation of \$23,348 for Change in Non-Bargaining Pay Plan - Court Solicitor"** Mr. Smith gave a first reading of Ordinance Number 68, 2018, "Thirty-Second 2018 General Fund Budget Supplemental Appropriation of \$23,348 for Change in Non-Bargaining Pay Plan - Court Solicitor".

**Second Reading of Ordinance Number 78, 2018, "Thirty-Seventh 2018 General Fund Budget Supplemental Appropriation of \$16,030 for Change in Non-Bargaining Pay Plan - Manager of Facilities and Operations". (Personnel Committee) (Rec'd 1st Reading - 5/29/18)**

Mr. Smith gave a second reading of Ordinance Number 78, 2018, "Thirty-Seventh 2018 General Fund Budget Supplemental Appropriation of \$16,030 for Change in Non-Bargaining Pay Plan – Manager of Facilities and Operations”.

Mr. Leone made a motion to Table this ordinance. This was seconded by Mr. Horton and failed in a 3-4 vote.

Yes to tabling: Mr. Leone, Mr. Horton, Dr. Foust

No to tabling: Mr. Anderson, Mrs. Loll, Mr. Rastetter, Mrs. Fatica

Mrs. Fatica made a motion to move on Ordinance 78, 2018, which was seconded by Mrs. Loll.

Mr. Horton stated six months ago Council enacted a Pay Plan. There was a year and a half of due diligence on the non-bargaining piece and contracted with a company who was adamant that this was the right thing to do and something that should have been done years ago. This individual was equally adamant that the only way it would succeed was if Council did not deviate from it. He further stated that if Council did deviate from it, it would ultimately spell failure and the County would be back in the same dilemma the County was trying to escape – that being departments coming to Council asking for pay raises. Mr. Horton stated that he chaired the Pay Plan Committee. He felt it was long overdue and felt it did some really good things and added value to the employees that serve the County so diligently. He cannot support changing the pay plan. He will not support any ordinances asking for pay increases to a pay plan that hasn't even been in effect for six months..

Mr. Anderson stated that much of the work done on the pay plan was done prior to his election to Council. He will wait and listen to the advice of members of the committee. He will support Ordinance 78, and the Court items as there is a responsibility to not put Erie County potentially at risk. He will reserve any vote on any future positions that come down for a change of pay until the Committee has done their work and have had an opportunity to sit down with the consultant and understand why these changes are being made.

Mr. Leone appreciates comments from Mr. Anderson and Mr. Horton. He commented that the pay plan was set up because it had been 25 years since it was reviewed. In January, 2018, the plan was implemented and many received more than 6% increases and some substantial increases higher than that and 5 ½ months later there is a request for more. He understands mistakes and is willing to look at those particular mistakes or issues that may not be comparable and thanked Mr. Anderson for saying he would wait for the Committee. Mr. Leone will call Mr. Felice to come and explain the pay plan to Council. There are mistakes made in this particular area and they should be corrected; but there

shouldn't be that many mistakes, at least 20, and he will look at it, talk with Mr. Felice. Mr. Leone welcomed the Administration and HR department to discuss this matter.

Mrs. Fatica supports making sure that for anything outside the Court positions that Felice is called and brought in to fully understand classifications. She clarified that with the Court positions, there are only ten requests, but she welcomes Mr. Leone's request to get Felice here regarding future positions that might need changes.

Mr. Rastetter commented that 20-30 mistakes in a plan with 1400 employees should not be surprising. He does not know of anyone coming down to ask for a raise and he does not know why there is such a hang up about the five months since the plan has been implemented. He respects Mr. Leone's position and feels it should be looked into further but he doesn't understand why they are such a hang up on these positions.

Dr. Foust thinks that a year is a more reasonable timeframe rather than 5 months. Five months is awful early. This particular position regarding the facilities and operations, this is not a mistake, it is a reclassification of a job that was properly classified five months ago. Now because the Administration probably has someone in mind and can't attract them at the salary that the position was supposed to be classified at, it is incumbent upon Council to follow the Administration's lead to bump up the salary through this gimmick, which is what it is in Dr. Foust's opinion. He is not going to support those types of changes at all in the future because if Council thinks this is the last one, it is not and Council will hear all sorts of reasons why it has to be changed in the future. It is the same thing over and over again to get people more money and far too often Council falls for it. Regarding the positions in the Courts and after listening to Mr. Catalde last week, and talking with Mr. Felice today, Dr. Foust stated he is in a much different frame of mind than he was last week. He wants to hear more information as Council moves forward on those positions because there may indeed be some inequities there. It was Mr. Felice's recommendation to go forward with different recommendations that were not adopted by the Pay Plan, which he now is endorsing later on so there may be more of a case for that.

Dr. Foust then called for the vote on Ordinance 78.

Ordinance Number 78, 2018, then passed in a 4-3 vote, with Mr. Horton, Mr. Leone, and Dr. Foust voting No.

## **NEW BUSINESS**

Mr. Leone made a motion to amend agenda to make Ordinances 79 through 83 as second readings. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

- First Reading of Ordinance Number 79, 2018, "Thirty-Eighth 2018 General Fund Budget Supplemental Appropriation Of \$11,150 For Replacement Of Three Perimeter Gates At Erie County Prison". (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 79, 2018, "Thirty-Eighth 2018 General Fund Budget Supplemental Appropriation of \$11,150 for Replacement of Three Perimeter Gates at Erie County Prison". This was moved by Mr. Leone, seconded by Mr. Horton, and carried in a unanimous roll call vote.
- First Reading of Ordinance Number 80. 2018, "2018 General Fund Budget Revised Expenditures Of \$51,500 For Purchase Of A Video System for Adult Probation". (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 80, 2018, "2018 General Fund Budget Revised Expenditures of \$51,500 for Purchase of a Video System for Adult Probation". This was moved by Mr. Leone, seconded by Mrs. Fatica, and carried in a unanimous roll call vote.
- First Reading of Ordinance Number 81, 2018, "Thirty-Ninth 2018 General Fund Budget Supplemental Appropriation of Additional \$3,000 City of Erie CDBG Revenue for Fair Housing Advertisements". (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 81, 2018, "Thirty-Ninth 2018 General Fund Budget Supplemental Appropriation of Additional \$3,000 City of Erie CDBG Revenue for Fair Housing Advertisements". This was moved by Mr. Leone, seconded by Mrs. Loll, and carried in a unanimous roll call vote.
- First Reading of Ordinance Number 82, 2018, "Seventh 2018 Library Fund Budget Supplemental Appropriation Of \$15,000 Friends Of the Library Donation". (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 82, 2018, "Seventh 2018 Library Fund Budget Supplemental Appropriation of \$15,000 Friends of the Library Donation". This was moved by Mr. Anderson, seconded by Mr. Horton, and carried in a unanimous roll call vote.
- First Reading of Ordinance Number 83, 2018, "Sixth 2018 Public Health Fund Budget Supplemental Appropriation Of \$35,000** Mr. Smith gave a second reading of Ordinance Number 83, 2018, "Sixth 2018 Public Health Fund Budget Supplemental Appropriation of \$35,000 Public Health Preparedness Grant". This was moved by Mrs. Fatica, seconded by Mr. Anderson, and carried in a unanimous roll call vote.

**Public Health  
Preparedness Grant".  
(Finance Committee)**

**Possible appointment of  
Brad Dinger to the Erie  
County Hospital  
Authority. (CE  
Appointment) (Finance  
Committee) (SEE  
ATTACHED)**

Mr. Leone moved to approve the appointment of Brad Dinger to the Erie County Hospital Authority. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

**Possible appointment of  
Mary Kay Eisert to the  
Erie County Drug and  
Alcohol Advisory  
Board. (CE appointment)  
(Finance Committee) (SEE  
ATTACHED)**

Mr. Leone moved to approve the appointment of Mary Kay Eisert to the Erie County Drug and Alcohol Advisory Board. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:50 p.m.

Deneé M. Breter, Council Secretary

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